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| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 09/312,740 | |
| | Filing Date | 5/14/1999 | |
| | First Named Inventor | Douglas F. Beaven | |
| | Art Unit | 2986 | |
| | Examiner Name | Krisciunas, L | |
| Total Number of Pages in This Submission | 14 | Attorney Docket Number | beaven01.001 |

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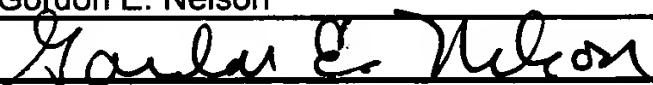
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Response to a non-final Office action under 37 C.F.R. 1.111

Summary of the prosecution

20 Applicant filed an RCE in the present examination on 10/19/2005, and in response thereto, Examiner withdrew the finality of the rejection mailed 7/19/05. A non-final Office action followed on 12/13/05. In that Office action, Examiner rejected claims 187, 191, and 192 under 35 U.S.C. 112 because of their use of the terms “observe” and “perceive”, which were deemed to be subjective and non-measurable. Claims 187-194, 25 197-206, and 210 were rejected under 35 U.S.C. 103 as obvious over Board (High End Project Managers, Infoworld, Feb. 1, 1993, p., 61-69) in view of Aoyama (Web Based Agile Software Development by Mikio Aoyama, IEEE Software Nov/Dec 1998, pp. 56-65).

30 Examiner graciously granted a telephonic interview in the application on 3/10/06; what follows is based on a written *Argument* which Applicant's Attorney faxed to Examiner prior to the interview and on the interview itself. Applicant has amended independent claims 187 and 192 to render the relationship between the hierarchies and the representations of the model entities unambiguous and has also amended claim 187 to 35 overcome the rejection under 35 U.S.C. 112. Further amendments have been made to dependent claims 188-191 to bring them into conformity with amended claim 187.